

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. CV 14-0996 LH/KBM
CR 11-1204 LH

WARREN RIVERA,

Defendant.

ORDER

This matter is before the Court, *sua sponte* under rule 4(b) of the Rules Governing Section 2255 Cases, on Defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence (CV Doc. 1; CR Doc. 148). Also pending before the Court is Defendant's earlier Request for Representation of Counsel (CR Doc. 147), which asks the Court to appoint counsel to assist Defendant in preparing his § 2255 motion. Because Defendant has already filed his motion, the Court will deny the request as moot and will direct the United States to answer Defendant's motion.

IT IS THEREFORE ORDERED that Defendant's Request for Representation of Counsel (CR Doc. 147) is DENIED as moot;

IT IS FURTHER ORDERED that the Clerk is directed to forward to the United States of America a copy of Defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct Sentence and supporting papers and exhibits, if any, together with a copy of this Order;

IT IS FURTHER ORDERED that, within twenty-three days of entry of this Order, the United States answer Defendant's § 2255 motion.


UNITED STATES CHIEF MAGISTRATE JUDGE